



"Express Mail" Label No. EV 291377245 US
Date of Deposit September 22, 2004

PATENT
Attorney Docket No.: 20375-004010

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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By: Sara B. McPeak
Sara B. McPeak

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Keith W. Diveley et al.

Application No.: 09/990,702

Filed: November 9, 2001

For: ELECTRONIC IDENTIFIER
PAYMENT SYSTEM AND METHODS

Customer No.: 20350

Confirmation No. 4413

Examiner: James A. Reagan

Technology Center/Art Unit: 3621

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed July 28, 2004, please enter the following
amendments and remarks:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 17 of this
paper.

Remarks/Arguments begin on page 26 of this paper.

09/27/2004 HTECKLU1 00000108 201430 09990702

01 FC:1202 108.00 DA
02 FC:1201 86.00 DA



09-24-04

3621 #
Btw

PTO/SB/21 (04-04)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

1

Application Number

09/990,702

Filing Date

November 9, 2001

First Named Inventor

Keith W. Diveley et al.

Art Unit

3621

Examiner Name

James A. Reagan

Attorney Docket Number

20375-004010

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Response to Missing Parts/Incomplete Application



Response to Missing Parts under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a Provisional Application



Power of Attorney, Revocation Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



After Allowance Communication to Technology Center (TC)



Appeal Communication to Board of Appeals and Interferences



Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify below):

Return Postcard

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENTFirm
or
Individual name

Townsend and Townsend and Crew LLP

Steven A. Gahlings

Reg. No. 54,108

Signature

Date

September 22, 2004

CERTIFICATE OF TRANSMISSION/MAILING

Express Mail Label: EV 291377245 US

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Typed or printed name

Sara B. McPeak

Signature

Date

September 22, 2004

**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 194**Complete if Known**

Application Number	09/990,702
Filing Date	November 9, 2001
First Named Inventor	Keith W. Diveley et al.
Examiner Name	James A. Reagan
Art Unit	3621
Attorney Docket No.	20375-004010

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, **except for the filing fee**
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	770	2001 385 Utility filing fee	
		1002	340	2002 170 Design filing fee	
		1003	530	2003 265 Plant filing fee	
		1004	770	2004 385 Reissue filing fee	
		1005	160	2005 80 Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims 43 -37** = 6	X\$18		\$108
Independent Claims 9 -8** = 1	X\$86		\$86
Multiple Dependent	X		

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
		1202	18	2202 9 Claims in excess of 20
		1201	86	2201 43 Independent claims in excess of 3
		1203	290	2203 145 Multiple dependent claim, if not paid
		1204	86	2204 43 ** Reissue independent claims over original patent
		1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$194)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large	Entity	Small	Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
				1051	130	2051 65 Surcharge - late filing fee or oath	
				1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet.	
				1053	130	1053 130 Non-English specification	
				1812	2,520	1812 2,520 For filing a request for reexamination	
				1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
				1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
				1251	110	2251 55 Extension for reply within first month	
				1252	420	2252 210 Extension for reply within second month	
				1253	950	2253 475 Extension for reply within third month	
				1254	1,480	2254 740 Extension for reply within fourth month	
				1255	2,010	2255 1,005 Extension for reply within fifth month	
				1401	330	2401 165 Notice of Appeal	
				1402	330	2402 165 Filing a brief in support of an appeal	
				1403	290	2403 145 Request for oral hearing	
				1451	1,510	1451 1,510 Petition to institute a public use proceeding	
				1452	110	2452 55 Petition to revive - unavoidable	
				1453	1,330	2453 665 Petition to revive - unintentional	
				1501	1,330	2501 665 Utility issue fee (or reissue)	
				1502	480	2502 240 Design issue fee	
				1503	640	2503 320 Plant issue fee	
				1460	130	1460 130 Petitions to the Commissioner	
				1807	50	1807 50 Petitions related to provisional applications	
				1806	180	1806 180 Submission of Information Disclosure Stmt	
				8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
				1809	770	2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))	
				1810	770	2810 385 For each additional invention to be examined (37 CFR § 1.129(b))	
				1801	770	2801 385 Request for Continued Examination (RCE)	
				1802	900	1802 900 Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)**

(\$)

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Steven A. Gahlings	Registration No. (Attorney/Agent)	54,108	Telephone	303-571-4000
Signature				Date	September 22, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.